

455.120(c) - If metered electricity delivered to Illinois retail customers by an ARES or supplied by an electric utility in Illinois outside the utility's service territory are delivered or supplied during the compliance period pursuant to contracts that were not executed or extended after March 15, 2009, the ARES or utility shall provide, on a confidential and proprietary basis, a list, by utility service territory, of those Illinois retail customers who received electricity that was not delivered pursuant to contracts executed or extended after March 15, 2009. The list shall include the following information: customer ~~name~~ class, and the quantity of electricity (in megawatt-hours) delivered to the customer during the compliance period that was not delivered pursuant to contracts executed or extended after March 15, 2009.

Regarding **455.140(b)**, it states that “**Additional** information provided to the Commission or its Staff upon written request may be designated as confidential...” It does not, however, expressly indicate that all of the information already provided pursuant to a requirement under this Part of the regulation is designated as confidential. It is ambiguous and should either state such within the actual section (as redlined above), or revise section (b) to expressly state that all information submitted pursuant to this Part is on a confidential and proprietary basis, *and any* additional information(see the remainder of subsection b).

The purpose of the redline in the last sentence to **455.120(c)** is for additional confidentiality measures, as because the name of the customer is simply irrelevant to the purpose of this requirement and the Commission's use for gathering this information.